

**MINUTES
REGULAR MEETING OF THE MONTEZUMA
CITY COUNCIL**

January 13, 2009

CALL TO ORDER: Mayor Willie J. Larry called the meeting to order at 6:00 P.M.

INVOCATION: The invocation was given by Council Member Trask

PRESENT: Mayor Willie J. Larry; Council Members; Charles Glover, Frank Lester, Cordel Jackson and James Trask; City Clerk, Joyce Hardy; Fire Chief, David Trussell, Police Chief, Eric Finch; and City Attorney, Jon Coogle.

ABSENT: Council Members Charles Ivey and Roy Barker

ACTIONS

MOTION #1: ACCEPT CITY'S INDEBTEDNESS AS OF JANUARY 1, 2009:

**GEFA LOAN #2.....\$1,094,088.53
GEFA LOAN #3.....\$ 2,256,501.36**

MOTION BY: Mr. Glover
SECOND BY: Mr. Jackson
VOTE: Unanimous in Favor Of

MOTION #2: TO ELECT COUNCIL MEMBER FRANK LESTER AS MAYOR PRO-TEMPORE FOR 2009.

MOTION BY: Mr. Jackson
SECOND BY: Mr. Glover
VOTE: Unanimous in Favor Of

MOTION #3: TO REAPPOINT ANNUAL CONTRACT EMPLOYEES FOR 2009:

CHIEF OF POLICE -	ERIC FINCH
CITY ATTORNEY -	JON L. COOGLE
CITY CLERK -	JOYCE HARDY

MOTION BY: Mr. Glover
SECOND BY: Mr. Jackson
VOTE: Unanimous in Favor Of

MOTION #4: TO APPOINT WILLIAM NESMITH AS MUNICIPAL COURT JUDGE FOR 2009.

MOTION BY: Mr. Lester
SECOND BY: Mr. Jackson
VOTE: Unanimous in Favor Of

MOTION #5 TO RENEW LEASE AGREEMENT FOR A. M. FIELDS CTR BUILDING WITH MENS CIVIC CLUB FOR 2009.

MOTION BY: Mr. Trask
SECOND BY: Mr. Glover
VOTE: Unanimous in Favor Of

MOTION #6 TO ACCEPT MINUTES OF ZONING PUBLIC HEARING OF DECEMBER 30, 2008 AND REGULAR COUNCIL MEETINGS OF NOVEMBER 11 AND DECEMBER 30, 2008 AS RECEIVED BY ALL MEMBERS.

MOTION BY: Mr. Lester
SECOND BY: Mr. Glover
VOTE: Unanimous in Favor Of

MOTION #7 TO ISSUE A "CERTIFICATE OF NONCONFORMANCE" TO POTEKIN DEVELOPMENT, INC TO CONSTRUCT A SENIOR CITIZEN APARTMENT COMPLEX ON PROPERTY PRESENTLY OWNED BY DARREL RYE ON WALNUT STREET WITH THESE RESTRICTIONS: 1) CONSTRUCTION MUST BEGIN PRIOR TO THE END OF 2010 2) PROPERTY MAY NOT BE SOLD TO ANY ENTITY WHOSE OWNERSHIP WOULD REMOVE THE PROPERTY FROM THE TAX DIGEST AND 3) DEVELOPMENT MUST BE BUILT TO THE SAME OR HIGHER STANDARDS THAN THOSE PICTURED IN SUBMITTED PROPOSAL. A copy of the CONCU is attached to and made a part of these Minutes. Attachment #1

MOTION BY: Mr. Lester
SECOND BY: Mr. Jackson
VOTE: All in Favor

MOTION #8 TO RATIFY MAYOR LARRY'S APPOINTMENTS TO THE DOWNTOWN DEVELOPMENT AUTHORITY AS FOLLOWS: DR. CAROLYN MEDLOCK, PATRICIA SIMMONS AND CYNTHIA CARTER.

MOTION BY: Mr. Lester
SECOND BY: Mr. Trask
VOTE: All in Favor

MOTION #9 TO AUTHORIZE PAYMENT TO ALLSTAR INTERNATIONAL FOR EMERGENCY REPAIRS TO GARBAGE PACKER #98, IN THE AMOUNT OF \$2,589.96. Repair was necessary due to an animal chewing through the wires over the holiday break.

MOTION BY: Mr. Glover
SECOND BY: Mr. Lester
VOTE: All in Favor

MOTION #10 TO AUTHORIZE PAYMENT TO SMITH GREY ELECTRIC FOR EMERGENCY REPAIRS TO MOTOR MIXER AT SPRING CREEK WATER RECLAMATION FACILITY IN THE AMOUNT OF \$2,242.15. Budgeted expense in the Sewer Fund Budget, line item Repairs & Maintenance.

MOTION BY: Mr. Trask
SECOND BY: Mr. Lester
VOTE: All in Favor

MOTION #11 TO AUTHORIZE PAYMENT TO SAM HALL & SONS FOR EMERGENCY REPAIR TO STORM & SANITARY SEWER LINES ON E. RAILROAD ST, IN THE AMOUNT \$8,500, WITH COST TO BE SPLIT EQUALLY BETWEEN SEWER FUND AND SPLOST-ST IMPROVEMENT FUND.

MOTION BY: Mr. Glover
SECOND BY: Mr. Trask
VOTE: Unanimous in Favor Of

MOTION #12

TO ADOPT RESOLUTION #500 TO AMEND THE GENERAL FUND BUDGET FOR FY08 AS PRESENTED BY THE CITY CLERK. A copy of Resolution #500 is attached to and made a part of these Minutes.

MOTION BY:
SECOND BY:
VOTE:

Mr. Lester
Mr. Jackson
All in Favor

COMMITTEE REPORTS

MAYOR'S REPORT

Mayor Larry reported that six citizens had called up to City Hall earlier in the day & requested extensions. He called the names aloud & informed that no extensions will be granted over the phone & each customer requesting an extension must see him personally at City Hall before any extension will be valid.

FIRE & EMERGENCY SERVICES COMMITTEE – COUNCIL MEMBER JACKSON

No Report

POLICE COMMITTEE – COUNCIL MEMBER IVEY

Absent

WATER & SEWER UTILITIES COMMITTEE – COUNCIL MEMBER TRASK

Mr. Trask directed the City Clerk to respond, in writing, to each of the customers who had appeared before Mayor & Council at last nights Work Session complaining about their high water/sewer bill.

STREETS, SANITATION CEMETERY & PARKS COMMITTEE – COUNCIL MEMBER GLOVER

Mr. Glover thanked the Public Works crew for the extra clean up effort for Mr. S. T. Hannon's funeral.

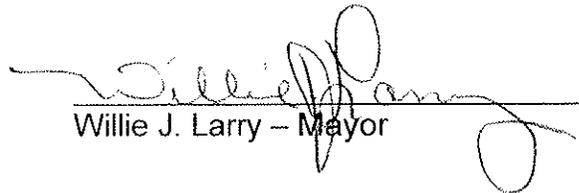
FINANCE, PERSONNEL & BUDGET COMMITTEE – COUNCIL MEMBER LESTER

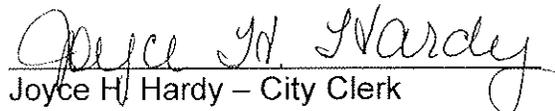
No Report

PUBLIC PROPERTIES COMMITTEE – COUNCIL MEMBER BARKER

Absent

ADJOURN: With no further business, the meeting was adjourned.


Willie J. Larry – Mayor


Joyce H. Hardy – City Clerk

City of Montezuma, Georgia

CERTIFICATION OF PERMITTED NONCONFORMING USE

Issued To: Potemkin Development
Property Address: 201 Walnut Street
Current Zoning: C-2 Highway Commercial
Expiration: None

The City of Montezuma hereby grants to the person or entity listed above the right to use their property described above in a manner that is inconsistent with the current zoning of the property. The property may be used only for the purpose shown below and must comply with the restrictions stated below if any.

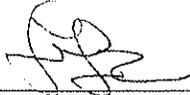
The property may not be (a) changed to another nonconforming use; (b) re-established after discontinuance for one (1) year; or (c) rebuilt, altered, or repaired after damage exceeding fifty (50) percent of its replacement cost at the time of the destruction.

Permitted Use of Property:

Apartment complex for the elderly

Restrictions Placed on Permitted Use:

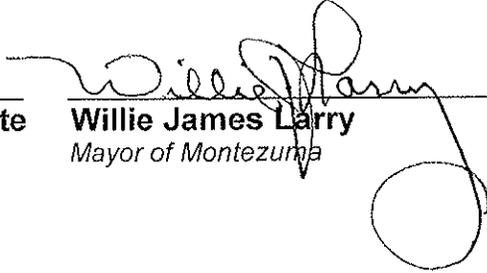
1. Construction must begin prior to the end of 2010.
2. The property may not be sold to any entity whose ownership would remove the property from the tax digest.
3. The development must be build to the same or higher standards than those pictured in the submitted proposal.



Frank Lester, III
Chairman – Planning and Zoning Commission

2/17/09

Date



Willie James Larry
Mayor of Montezuma

Date

RESOLUTION NUMBER 500**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF MONTEZUMA GEORGIA TO
AMEND THE GENERAL FUND BUDGET FOR FISCAL YEAR 2008**

WHEREAS, the local budget for the City of Montezuma, Georgia was adopted on the 25th day of September, 2007,

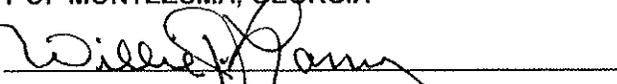
WHEREAS, it is necessary to amend said budget now,

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Montezuma, Georgia that the following amendments to the General Fund Budget be made.

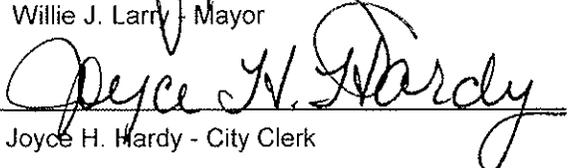
		FROM	TO
REVENUES			
100-31.3100	Local Option Sales Tax	\$ 408,000	\$ 413,000
100-32.3100	Building Permit	\$ 10,000	\$ 15,000
EXPENDITURES			
EXPENDITURES			
1100	MAYOR & COUNCIL	\$ 137,610	\$ 132,000
1400	ELECTIONS	\$ 9,250	\$ 3,250
1500	ADMINISTRATIVE	\$ 306,761	\$ 327,761
1565	PUBLIC BLDGS	\$ 74,610	\$ 70,000
2650	MUNICIPAL COURT	\$ 47,259	\$ 37,000
3200	POLICE DEPARTMENT	\$ 823,817	\$ 830,000
3250	POLICE DEPT - K9 UNIT	\$ 5,553	\$ 1,000
3910	ANIMAL CONTROL	\$ 12,074	\$ 14,137
4200	STREET DEPARTMENT	\$ 317,472	\$ 324,000
4850	CEMETERY DEPARTMENT	\$ 115,421	\$ 115,000
5144	MOSQUITO CONTROL	\$ 17,812	\$ 13,000
6200	PARKS DEPARTMENT	\$ 44,267	\$ 48,267
7220	BLDG INSPECTION	\$ 8,890	\$ 13,390
7450	CODE ENFORCEMENT	\$ 1,000	\$ 13,500
CONTINGENCIES			
	GENERAL FUND CONTINGENCIES	\$ 10,509	\$ -

RESOLVED this 13th day of January, 2009

CITY OF MONTEZUMA, GEORGIA

By: 

Willie J. Larry - Mayor

Attest: 

Joyce H. Hardy - City Clerk